

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CELLDEX RESEARCH CORPORATION,

Plaintiff,

v.

HON. DAVID J. KAPPOS, Under Secretary
of Commerce for Intellectual Property &
Director of the United States Patent &
Trademark Office,

Defendant.

Civil Action No. 10-035 (CKK)

ORDER
(March 2, 2010)

Upon consideration of the record in the above-captioned case and the parties' Joint Motion for Remand, it is, this 2nd day of March, 2010, hereby

ORDERED that the parties' [8] Joint Motion for Remand is **GRANTED**; and it is **FURTHER ORDERED** that the Plaintiff's existing patent-term calculation is hereby **VACATED**; and it is

FURTHER ORDERED that this matter is **REMANDED** to the United States Patent and Trademark Office for recalculation and adjustment of the disputed patent term in accordance with the decision of the United States Court of Appeals for the Federal Circuit in *Wyeth & Elan Pharma Int'l Ltd. v. Kappos*, 591 F.3d 1364 (Fed. Cir. 2010); and it is

FURTHER ORDERED that this case is **DISMISSED**.

SO ORDERED.

Date: March 2, 2010

/s/
COLLEEN KOLLAR-KOTELLY
United States District Judge